

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

CLINTON WILLIAMS

PLAINTIFF

V.

CIVIL ACTION NO. 1:24cv374 TBM-RPM

**GULFSIDE CASINO PARTNERSHIP DBA
ISLAND VIEW CASINO RESORT**

DEFENDANTS

COMPLAINT

COMES NOW, the Plaintiff, Clinton Williams, by and through undersigned counsel, and files this Complaint against the Defendant, and in support of his cause of action for damages, and would respectfully show unto this Court the following:

PARTIES

1. Plaintiff Clinton Williams is an adult resident citizen of Marrero, Louisiana.
2. The Defendant Gulfside Casino Partnership DBA Island View Casino Resort is a Mississippi business corporation, incorporated in the State of Mississippi with a principle place of business in the State of Mississippi, licensed to do business, and doing business, in the state of Mississippi, which may be served process by its registered agent for service, Michael Bruffey 330 West Beach Boulevard, Gulfport, Mississippi 39501.

JURISDICTION

3. This court has personal jurisdiction over the parties.
4. This Court has subject matter jurisdiction over the claims and defenses of this cause of action, as complete diversity exists between the parties, and the amount in controversy exceeds \$75,000.00.
5. Venue is proper in this Court and District as the negligent acts and omissions giving rise to the Plaintiff's injuries occurred at the Island View Casino in Gulfport, Mississippi.

FACTS

6. Plaintiff incorporates the preceding paragraphs fully herein by reference.

7. On or about January 7th, 2023, the Plaintiff arrived at the premises of the Island View Casino as an invitee, where he had reserved a room for the night, and where he had stayed on multiple previous occasions without incident. Late in the evening, after spending time at the casino, the Plaintiff went to his hotel room with his girlfriend. While walking past the hotel bed so that he could access his nightstand, the Plaintiff hit his leg on a sharp piece of metal that was protruding from the side of the bed, but which had been hidden by the bedding. Plaintiff felt immediate pain and swelling in his ankle. As a result of hitting the protruding piece of metal, the Plaintiff suffered a severe injury to his lower leg which ultimately required surgery. The Plaintiff's injuries, and resulting legal damages, were proximately caused by the negligence of the Defendant.

CAUSES OF ACTION

I. Negligence

8. Plaintiff incorporates the preceding paragraphs fully herein by reference.

9. Defendants owed a duty to the Plaintiff as a business invitee to keep the casino hotel room in a reasonably safe condition, or otherwise to warn the Plaintiff of unobvious dangerous conditions of which the Defendants knew or should have known. Defendants breached the duty owed to the Plaintiff by, among other acts and omissions:

- A. Failing to maintain a reasonably safe premises as to allow the safe use by its business invitees;
- B. Creating and/or failing to inspect or detect a hazardous, unsafe condition on its premises which posed potential danger to its invitees;
- C. Failing to properly place warning signs and/or other warning devices that would have alerted invitees of the hazardous conditions and potential dangers;

- D. Failing to properly train and supervise its managers and/or employees;
- E. Failing to properly staff and manage the hotel;
- F. Failing to have policies and procedures in place to ensure the hotel rooms are safe and free from hazards, including a failure to have safe, defect free furniture in the hotel rooms;
- G. Other acts and omissions to be shown at trial.

10. As a direct and proximate result of these and other of the Defendants' negligent acts and/or omissions, the Plaintiff suffered injury.

II. Gross Negligence

11. Plaintiff incorporates the preceding paragraphs fully herein by reference.

12. The Defendants' conduct as described herein constitutes willful, reckless, wanton, and otherwise grossly negligent behavior. The conduct of all the Defendants rises to such a level that the Plaintiffs are entitled to punitive and exemplary damages in a sufficient amount to punish and deter the Defendants, and others similarly situated, from engaging in such conduct in the future.

III. Respondeat Superior

13. Plaintiff incorporates the preceding paragraphs fully herein by reference.

14. The Defendant is liable for the negligent and/or intentional acts or omissions of its respective employees, agents, and assigns performed within the course and scope of their employment pursuant to the doctrine of respondeat superior.

DAMAGES

15. Defendant's breach of the aforementioned duties was a proximate and contributing cause and/or concurrent cause of the incident and the resulting injuries to the Plaintiff.

16. As a further direct and proximate cause of Defendant's disregard for Plaintiff's safety and well-being and other negligent acts, Plaintiff suffered bodily injuries and incurred monetary damages. These damages include, but are not limited to the following:

- (a) past/present/future medical expenses;
- (b) past/present/future physical pain and suffering;
- (c) past/present/future mental and emotional distress;
- (d) past/present/future lost wages; and/or
- (e) any other relief, which the Court or jury deems just or appropriate based upon the circumstances.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff demands a trial by jury and judgment against the Defendant for all actual, compensatory, consequential, incidental, economic and non-economic, and punitive damages, as well as damages of any other type available under the law, as determined by a jury.

RESPECTFULLY SUBMITTED, this the 5th day of December, 2024.

CLINTON WILLIAMS, PLAINTIFF
BY: LUNSFORD, BASKIN, & PRIEBE, PLLC

BY: 
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